

REMARKS***Summary of the Amendment***

Upon entry of the above amendment, the specification and claims 1 – 29 will have been amended and claims 30 – 32 will have been entered for consideration by the Examiner. Accordingly, claims 1 – 32 are currently remain pending. However, as claims 6, 9 – 14, and 22 – 29, directed to the non-elected species, have been withdrawn by the Examiner and Applicant has further indicated claim 8 should also be withdrawn as being directed to a non-elected species of the invention, only claims 1 – 5, 7, 15 – 21, and 30 – 32 are currently under consideration by the Examiner.

Summary of the Official Action

In the instant Office Action, the Examiner has made the election requirement final and has withdrawn claims 6, 9 – 14, and 22 – 29 from further consideration. Further, the Examiner has objected to claims 5, 15, and 16 based upon informalities and has rejected claim 2 – 5, 7, 8, and 15- 21 based upon formal matters. The Examiner has also rejected claims 1 – 5, 7, 8, and 15 – 21 over the art of record. By the present amendment and remarks, Applicant submits the objections and rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

Amended Claims are Directed to Subject Matter of Elected Species

Applicant submits the pending claims, which have been revised to be directed to an apparatus, have been amended to additionally recite generic subject matter, such that the claims currently under consideration by the Examiner recite the subject matter of the elected species.

In particular, the claims have been amended to recite an apparatus comprising the multi-layer fabric of the original claims and a dynamic condensation drying apparatus. The

condensation drying apparatus is illustrated in Figure 1 and discussed beginning in paragraph [0048] of the specification, and is generic to each identified species of the fabric.

In view of the foregoing, Applicant submits, as the amended claims recite the subject matter of the elected species, examination of the pending claims is proper. Therefore, entry of the instant amendment and consideration of the claims is requested.

Claim Objections are Moot

By the present amendment, claims 5, 15, and 16 have been amended to address the informality noted by the Examiner. Accordingly, withdrawal of the objections and consideration of these claims is requested.

Formal Rejection Under 35 U.S.C. § 112, First Paragraph, is Moot

By the present amendment, Applicant has indicated that, as noted by the Examiner, claim 8 is not directed to the subject matter of the elected species. However, Applicant submits that claim 8 is fully in compliance with the requirements of 35 U.S.C. § 112, first paragraph, when read in conjunction with certain non-elected features of claim 7.

Thus, Applicant submits, when claim 8 is rejoined and examined, this claim will be fully in compliance with the requirements of the statute.

Accordingly, Applicant requests claim 8 be identified as withdrawn from consideration until it is properly rejoined following the allowance of a generic base claim.

Formal Rejection Under 35 U.S.C. § 112, Second Paragraph, is Moot

By the present amendment, Applicant has amended to claims to even more clearly recite the subject matter of the invention, thereby rendering moot the formal rejection of claims 2 – 5, 7, and 15 – 21 under 35 U.S.C. § 112, second paragraph.

Further, with regard to claims 15 and 16, Applicant's specification identifies the high

temperature of the hot surface of the condensation dryer, such that one ordinarily skilled in the art would readily understand the subject matter and scope of claims 15 and 16 after reviewing the specification.

Further, Applicant notes, when read in light of the disclosure, the recited features of claims 18 – 22 are readily understandable, such that those ordinarily skilled in the art reviewing the specification and claims would be able to ascertain the scope of the claims.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the formal rejection of claims 2 – 5, 7, and 15 – 22 under 35 U.S.C. § 112, second paragraph, and indicate these claims are fully in compliance with the requirements of the statute.

Traversal of Rejection Under 35 U.S.C. § 102(b)/35 U.S.C. § 103(a)

1. Over Taguchi

Applicant traverses the rejection of claims 1 – 5, 7, 15, and 16 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over TAGUCHI et al. (U.S. Patent No. 5,194,121) [hereinafter “TAGUCHI”]. The Examiner asserts TAGUCHI shows the recited features of the invention. Applicant traverses the Examiner’s assertions.

By the present amendment, Applicant’s independent claim 1 is directed to an apparatus and recites, *inter alia*, a multi-layer dewatering fabric, and a dynamic condensation drying apparatus having a hot surface, in which the multi-layer dewatering fabric is arranged to sandwich a paper web onto the hot surface. Applicant submits TAGUCHI fails to anticipate or render unpatentable the above-noted features of the invention.

Applicant submits a fair reading of TAGUCHI fails to disclose or suggest a dynamic condensation drying apparatus having a hot surface, as recited in at least independent claim 1,

nor is there any arguable suggestion of the needed felt of TAGUCHI sandwiching a paper web onto the hot surface of a dynamic condensation drying apparatus, as is additionally recited in at least independent claim 1. Further, there is no disclosure that the needed felt of TAGUCHI is structured to provide beneficial dewatering results in a dynamic condensation dryer apparatus.

As TAGUCHI fails to show at least the above-noted features of the invention, Applicant submits this document fails to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b), such that this rejection should be withdrawn.

Further, as TAGUCHI fails to disclose any features associated with a dynamic condensation drying apparatus and fails to even arguably suggest the arrangement of recited elements in at least Applicant's independent claim 1, Applicant submits no proper modification of TAGUCHI under 35 U.S.C. § 103(a) can render obvious Applicant's invention.

With regard to the claims depending from independent claim 1, Applicant notes, as TAGUCHI fails to disclose the recited relative differences between various layers, such as recited in at least claims 3 – 5, the applied art fails to anticipate under 35 U.S.C. § 102(b) or render unpatentable the invention under 35 U.S.C. § 103(a). Further, as TAGUCHI is directed only to the needed felt, Applicant submits the applied art fails to disclose materials for at least partially insulating parts of the fabric not composed of the materials having high resistance to high temperature and hydrolysis, such that at least claim 16 is neither anticipated under 35 U.S.C. § 102(b) nor rendered obvious under 35 U.S.C. § 103(a) by TAGUCHI. Still further, Applicant submits TAGUCHI fails to disclose the paper contacting surface layer and the core being constituted by a single structure with zones of differing mean void volume, such that claim 17 is not anticipated under 35 U.S.C. § 102(b) or rendered obvious under 35 U.S.C. § 103(a) by TAGUCHI.

In addition to the foregoing, Applicant submits claims 2 – 5, 7, 15, and 16 are additionally allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that TAGUCHI fails to anticipate under 35 U.S.C. § 102(b) and/or to render unpatentable under 35 U.S.C. § 103(a) the combination of features recited in at least claims 2 – 5, 7, 15, and 16.

Accordingly, Applicant requests reconsideration and withdrawal of the rejections of claims 1 – 5, 7, 15, and 16 as being anticipated under 35 U.S.C. § 102(b) and/or as being obvious under 35 U.S.C. § 103(a), and that the Examiner indicate the allowability of these claims in the next official communication.

2. Over Lee

Applicant traverses the rejection of claims 1, 2, 17 – 19, and 21 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over LEE (U.S. Patent No. 3,214,326). The Examiner asserts LEE shows the recited features of the invention. Applicant traverses the Examiner's assertions.

As discussed above, Applicant's independent claim 1 is directed to an apparatus and recites, *inter alia*, a multi-layer dewatering fabric, and a dynamic condensation drying apparatus having a hot surface, in which the multi-layer dewatering fabric is arranged to sandwich a paper web onto the hot surface. Applicant submits LEE fails to anticipate or render unpatentable the above-noted features of the invention.

Applicant submits, while a fair reading of LEE discloses a felt for guiding a paper web through a press composed of two opposing rollers, this document fails to disclose or suggest a dynamic condensation drying apparatus having a hot surface, as recited in at least independent

claim 1, nor is there any arguable suggestion of the felt of LEE sandwiching a paper web onto the hot surface of a dynamic condensation drying apparatus, as is additionally recited in at least independent claim 1. Further, there is no disclosure that the felt of LEE is structured to provide beneficial dewatering results in a dynamic condensation dryer apparatus.

As LEE fails to show at least the above-noted features of the invention, Applicant submits this document fails to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b), such that this rejection should be withdrawn.

Further, as LEE fails to disclose any features associated with a dynamic condensation drying apparatus and fails to even arguably suggest the arrangement of recited elements in at least Applicant's independent claim 1, Applicant submits no proper modification of LEE under 35 U.S.C. § 103(a) can render obvious Applicant's invention.

With regard to the claims depending from independent claim 1, Applicant notes, as LEE fails to disclose the recited relative differences between various layers, such as recited in at least claims 18, 19, and 21 the applied art fails to anticipate under 35 U.S.C. § 102(b) or render unpatentable the invention under 35 U.S.C. § 103(a). Further, Applicant submits LEE fails to disclose the paper contacting surface layer and the core being constituted by a single structure with zones of differing mean void volume, such that claim 17 is not anticipated under 35 U.S.C. § 102(b) or rendered obvious under 35 U.S.C. § 103(a) by LEE.

In addition to the foregoing, Applicant submits claims 2, 17 – 19, and 21 are additionally allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that LEE fails to anticipate under 35 U.S.C. § 102(b) and/or to render unpatentable under 35 U.S.C. § 103(a) the combination of features recited in at least claims 2, 17

– 19, and 21.

Accordingly, Applicant requests reconsideration and withdrawal of the rejections of claims 1, 2, 17 – 19, and 21 as being anticipated under 35 U.S.C. § 102(b) and/or as being obvious under 35 U.S.C. § 103(a), and that the Examiner indicate the allowability of these claims in the next official communication.

3. Over Hindle

Applicant traverses the rejection of claims 1, 2, and 17 – 20 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over HINDLE et al. (U.S. Patent No. 2,934,097) [hereinafter “HINDLE”]. The Examiner asserts HINDLE shows the recited features of the invention. Applicant traverses the Examiner’s assertions.

By the present amendment, Applicant’s independent claim 1 is directed to an apparatus and recites, *inter alia*, a multi-layer dewatering fabric, and a dynamic condensation drying apparatus having a hot surface, in which the multi-layer dewatering fabric is arranged to sandwich a paper web onto the hot surface. Applicant submits HINDLE fails to anticipate or render unpatentable the above-noted features of the invention.

Applicant submits a fair reading of HINDLE fails to disclose or suggest a dynamic condensation drying apparatus having a hot surface, as recited in at least independent claim 1, nor is there any arguable suggestion of the felt of HINDLE sandwiching a paper web onto the hot surface of a dynamic condensation drying apparatus, as is additionally recited in at least independent claim 1. Further, there is no disclosure that the felt of HINDLE is structured to provide beneficial dewatering results in a dynamic condensation dryer apparatus.

As HINDLE fails to show at least the above-noted features of the invention, Applicant

submits this document fails to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b), such that this rejection should be withdrawn.

Further, as HINDLE fails to disclose any features associated with a dynamic condensation drying apparatus and fails to even arguably suggest the arrangement of recited elements in at least Applicant's independent claim 1, Applicant submits no proper modification of HINDLE under 35 U.S.C. § 103(a) can render obvious Applicant's invention.

With regard to the claims depending from independent claim 1, Applicant notes, as HINDLE fails to disclose the recited relative differences between various layers, such as recited in at least claims 18 – 20, the applied art fails to anticipate under 35 U.S.C. § 102(b) or render unpatentable the invention under 35 U.S.C. § 103(a). Further, Applicant submits HINDLE fails to disclose the paper contacting surface layer and the core being constituted by a single structure with zones of differing mean void volume, such that claim 17 is not anticipated under 35 U.S.C. § 102(b) or rendered obvious under 35 U.S.C. § 103(a) by TAGUCHI.

In addition to the foregoing, Applicant submits claims 2, and 17 – 20 are additionally allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that HINDLE fails to anticipate under 35 U.S.C. § 102(b) and/or to render unpatentable under 35 U.S.C. § 103(a) the combination of features recited in at least claims 2, and 17 – 20.

Accordingly, Applicant requests reconsideration and withdrawal of the rejections of claims 1, 2, and 17 – 20 as being anticipated under 35 U.S.C. § 102(b) and/or as being obvious under 35 U.S.C. § 103(a), and that the Examiner indicate the allowability of these claims in the next official communication.

Traversal of Rejection Under 35 U.S.C. § 103(a)

I. Over Taguchi in view of Taipale

Applicant traverses the rejection of claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over TAGUCHI in view of TAIPALE et al. (European Patent Application No. EP 0 962 589) [hereinafter “TAIPALE”]. The Examiner asserts it would have been obvious to modify TAGUCHI to include a close, dense structure of fine threads on a surface side of the core to reduce markings, as described by TAIPALE. Applicant traverses the Examiner’s assertions.

As with TAGUCHI discussed above, Applicant submits a fair reading of TAIPALE fails to arguably suggest arranging a felt, such as described by TAGUCHI, to sandwich a paper web onto the hot surface of a dynamic condensation drying apparatus. In this regard, Applicant notes TAIPALE’s disclosure of separate wire elements to be pressed together in a nip fails to provide any suggestion for modifying the needled felt of TAGUCHI, nor has the Examiner identified any articulated disclosure in the applied art for modifying a needled felt in view of disclosure related to separate wire elements.

Further, Applicant submits the Examiner has not identified any disclosure in the applied art that suggests one ordinarily skilled in the art would likely be motivated to modify a needled felt based upon the disclosure of TAIPALE, nor has the Examiner identified any disclosed reasoning that one ordinarily skilled in the art would expect success if the needled felt of TAGUCHI were modified as suggested by the Examiner. In fact, Applicant submits, if one ordinarily skilled in the art were to modify the needled felt of TAGUCHI in view of the disclosure of TAIPALE, at best, the needled belt would be separated into more than one belt, not structured in the manner recited in Applicant’s claims.

Therefore, Applicant submits no proper combination of TAGUCHI and TAIPALE under

35 U.S.C. § 103(a) can render obvious Applicant's invention.

With regard to the claims depending from independent claim 1, Applicant notes, as neither applied document discloses the recited relative differences between various layers in a multi-layer fabric in a dynamic condensation dryer apparatus, the applied art fails to render unpatentable the invention under 35 U.S.C. § 103(a).

In addition to the foregoing, Applicant submits claims 4 and 5 are additionally allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of TAGUCHI and TAIPALE renders unpatentable under 35 U.S.C. § 103(a) the combination of features recited in at least claims 4 and 5.

Accordingly, Applicant requests reconsideration and withdrawal of the rejections of claims 4 and 5 as being obvious under 35 U.S.C. § 103(a), and that the Examiner indicate the allowability of these claims in the next official communication.

2. Over Taguchi in view of Lyndon

Applicant submits the rejection of claim 8 under 35 U.S.C. § 103(a) as being unpatentable over TAGUCHI in view of LYDON et al. (International Publication No. WO99/61130) [hereinafter "LYDON"] is moot in view of the instant amendment which acknowledges claim 8 is directed to a non-elected species of the invention.

Accordingly, Applicant requests claim 8 be withdrawn from consideration until the allowance of a generic claim has been determined by the Examiner.

Newly Submitted Claims are Allowable

Applicants note newly submitted claims 30 – 32 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional

features that further define the present invention. In particular, Applicant submits that no document of record anticipates the invention recited in at least new claims 30 – 32, and that no proper combination of the applied art renders unpatentable under 35 U.S.C. § 103(a) the combination of features recited in new claims 30 – 32.

Accordingly, consideration and allowance of claims 30 – 32 is requested.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The undersigned authorizes the charging of any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, to Deposit Account No. 19 - 0089 in order to maintain pendency of this application.

CONCLUSION

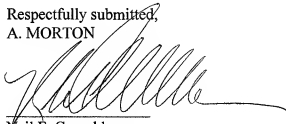
In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 1 – 5, 7, 17 – 21 and 30 – 32. The claims have been amended to eliminate any arguable basis for rejection under 35 U.S.C. § 112. In addition, the applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be

considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
A. MORTON

A handwritten signature in black ink, appearing to read 'Neil F. Greenblum', written over a horizontal line.

Neil F. Greenblum
Reg. No. 28,394

Robert W. Mueller
Reg. No. 35,043

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191